delivery upon the one side, as opposed to the more liberal view that the clear intention of the parties should not be defeated by technical considerations. For additional discussion see 12 RULING CASE LAW 946, 22 HARV. L. REV. 453, and 15 HARV. L. REV. 751.

HIGHWAYS—COASTING TRAVELER.—In an action for damages for personal injuries resulting from a collision on a public road between defendant's carriage and a sled upon which plaintiff was coasting for pleasure, it was *held* that each party had equal rights as travelers, and that coasting was not such an act as to amount to a public nuisance, and consequently no bar to recovery. *Roennau* v. *Whitson,* (Ia., 1920), 175 N. W. 849.

In some jurisdictions coasting on city streets is deemed a public nuisance *per se* (*Wilmington* v. *Vandegrift,* 1 Marv. 5; *Reusch* v. *Licking Rolling Mill Co.,* 118 Ky. 369); while a statement to the contrary is found in *Jackson* v. *Castle,* 80 Me. 119. But even by such courts as the latter it is asserted, *obiter,* that under some circumstances coasting coupled with boisterous conduct may constitute a nuisance. Even the principal case does not go so far as to deny that proposition. Many of the cases on this subject are suits against municipalities by persons injured by coasters, where the municipality had, by ordinance, forbidden coasting (*Faulkner* v. *City of Aurora,* 85 Ind. 130), or where it had expressly given permission for such use (*Burford* v. *Grand Rapids,* 53 Mich. 98), in both cases a recovery being denied. Consciously or unconsciously, the courts are influenced by two considerations, viz., the means of locomotion and the purpose of the use, in this problem of determining who is a traveler. For instance, in *McCarthy* v. *Portland,* 67 Me. 167, the court says by way of *dictum* that a boy might be a traveler if he coasts on his way to school, but not if he does so for pastime, but it is submitted that the fact was there lost sight of that highways are properly intended and used for purposes of pleasure as well as of business. Where the injured party's play involved travel over the highway, a recovery was allowed in *Reed* v. *Madison,* 83 Wis. 371, and in *Beaudin* v. *Bay City,* 136 Mich. 333; and in *Gulline* v. *Lowell,* 144 Mass. 491, we find the same result even though the injured party was, at the moment of injury, engaged in a sport not connected with travel. Compare with this last case *Blodgett* v. *Boston,* 8 Allen (Mass.) 237, and *Tighe* v. *Lowell,* 119 Mass. 472. On all fours with the case at hand is *Lynch* v. *Public Service Ry. Co.,* 82 N. J. L. 712, 42 L. R. A. (N.S.) 865, note. See also the note in 4 Ann. Cas. 248.

MASTER AND SERVANT—LIABILITY OF OWNER FOR INJURIES TO AN INVITEE OF HIS CHAUFFEUR.—Defendant sent his chauffeur on an errand with his car. Contrary to instructions the chauffeur invited plaintiff's intestate to ride with him. The car was overturned and both were killed. In an action to recover for death of intestate, *held,* defendant was not liable, as chauffeur acted outside of his authority in inviting deceased to ride. *Rolfe* v. *Hewitt* (N. Y., 1920), 125 N. E. 804.

Some difficulty was experienced in reaching the decision in this case. The plaintiff recovered in the trial court, and a divided court affirmed the